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April 10, 2023

*Via ECF*

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) in response to the letter (ECF No. 8995) filed earlier today by the Plaintiffs’ Executive Committees (“Plaintiffs”) requesting an extension of the time for Plaintiffs’ *Daubert* motion.

As Saudi Arabia earlier advised Plaintiffs and the Court, *see* ECF No. 8937, it opposes any extension of the schedule set by the Court for *Daubert* motions or Saudi Arabia’s renewed motion to dismiss. A single extension may not change much, but a similar extension for each deadline in the schedule will add up quickly to months of additional delay.

The Court’s March 2, 2023 Order gave the parties two months’ notice that *Daubert* motions would be simultaneously filed on May 1, 2023. ECF No. 8896. That deadline should be modified only upon a showing of “good cause.” Fed. R. Civ. P. 16(b)(4). Plaintiffs’ statements that two unidentified members of their team are traveling for the holidays (three weeks before the May 1 deadline) and that the Court has scheduled two hearings in April (one to discuss logistics for the upcoming motion to dismiss briefing and the other to hear argument involving a separate defendant, Sudan) do not constitute good cause.

Saudi Arabia respectfully requests that, if the Court extends the deadline for Plaintiffs to file their motion, Saudi Arabia’s own deadline be set consistent with Plaintiffs’, to avoid a situation in which Plaintiffs receive Saudi Arabia’s motion substantially before filing their own.

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Respectfully submitted,

*/s/ Michael K. Kellogg*

Michael K. Kellogg  
*Counsel for the Kingdom of Saudi Arabia*

cc: All MDL Counsel of Record (via ECF)